

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

MALCOLM ROSENWALD,

Plaintiff,

v.

LAURA S. UNGER, BENJAMIN R.
CIVILETTI, WILLIAM H. JEWS, JAMES
H. BERICK, MARY H. BOIES, BRUCE L.
HAMMONDS, RANDOLPH C. LERNER,
STUART L. MARKOWITZ, WILLIAM H.
MILSTEAD and THOMAS G.
MURDOUGH, JR.,

Defendants,

MBNA CORPORATION,

Nominal Defendant.

Civil Action No. 05 CV 02296 CCB

**STIPULATED ORDER TRANSFERRING
THIS ACTION TO THE DISTRICT OF DELAWARE**

Whereas on August 26, 2005 defendants moved, pursuant to 28 U.S.C. § 1404(a), to transfer this action to the United States District Court for the District of Delaware where two other closely related derivative actions are pending;

Whereas plaintiff does not oppose that motion and hereby consents to transfer of this action to the District of Delaware; and

Whereas the parties agree that this action could have been brought in the District of Delaware which is where nominal defendant MBNA Corporation is headquartered;

It is hereby stipulated by the parties to this action, subject to Order of this Court, that this action is transferred to the United States District Court for the District of Delaware pursuant to 28 U.S.C. § 1404(a) for the convenience of the parties and witnesses and in the interest of justice.

Respectfully submitted,

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Markowitz, Milstead and Murdough*

It is SO ORDERED, this _____ day of September, 2005

The Honorable Catherine C. Blake
United States District Judge